

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**HB 1060 – SB 1210**

March 27, 2013

**SUMMARY OF ORIGINAL BILL:** For purposes of lawsuits against state employees, includes in definition of “state employee” any expert witness appearing and testifying on behalf of the department of health at any administrative hearing or other similar proceeding. The Attorney General and Reporter could represent such individual in a civil action for damages.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (005609):** Restricts representation of expert witness to civil actions for damages against the expert for any act or omission in the course of the expert’s appearance and testimony.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- According to the Department of Health, the bill would not have a significant on the department.
- An insignificant number of civil actions are assumed to be brought against such expert witnesses. As the Attorney General and Reporter has discretion whether or not to represent such individuals in such cases, any additional workload can be accomplished within existing resources of the office. Any fiscal impact would be not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

/trm